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APPELLATE COURT RULING ON JAG FUNDS IS CRUCIAL VICTORY FOR CHICAGO

CHICAGO – Mayor Lori E. Lightfoot said today’s appellate court decision in favor of the City of Chicago over federal funds allocated for crime reduction and prevention is a crucial victory for the City, our residents and state and local governments that share our welcoming values for immigrants.

“Mayor Rahm Emanuel began this battle and my administration has continued to fight hard to ensure we receive the funds we are entitled to without bending to the political agenda on immigration that the Trump administration is trying to force upon us as a Welcoming City,” Mayor Lightfoot said.

The litigation involves the City’s lawsuit to stop the U.S. Department of Justice from imposing unlawful conditions related to immigration enforcement on the Edward Byrne Memorial Justice Assistance Grant (JAG) program, which is money earmarked for community policing efforts and other public safety measures and which was created in 2005. The JAG program, specifically authorized under 34 U.S.C. §§ 10151 - 10158, is the leading source of federal funding to state and local law enforcement and is administered by the Bureau of Justice Assistance. Since 2017, the Justice Department has sought to impose immigration-related conditions in order for state and local governments to get the funds.

In today’s ruling, the United States Court of Appeals for the Seventh Circuit concluded that the Attorney General cannot pursue these policy objectives of the executive branch through the power of the purse or the arm of local law enforcement.

“This is the first court of appeals ruling to strike down these conditions on a program-wide and forward-looking basis, ordering that the Justice Department cannot impose them anywhere in the country, now or in the future,” said Corporation Counsel Mark A. Flessner.

The City's internal Law Department team included: Benna Ruth Solomon, Andrew Worseck, Scott Spears and Justin Houppert. That team worked with outside counsel at Wilmer Hale and Riley Safer Holmes & Cancila LLP, who provided pro bono services on this litigation, for which the City is grateful.

The 2017 JAG funds were earmarked for technology, such as ShotSpotter technology, which is used to identify the location of shooting incidents and direct rapid police responses to them. The 2018 JAG funds were earmarked to bolster the CPD's Detective Bureau capacity and help them close serious felony investigations through investments in forensic analysis of mobile devices; an initiative to digitize hard-copy records and advanced interview and investigation training for detectives.

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